

A Confutation of sundry Errors in Dr. Sherlock's Book concerning Allegiance.

Error 1. **T**HE Scripture hath given us no Directions in this Case, but to submit, and pay all the Obedience of Subjects to the present Powers. It makes no distinction, that ever I could find, between rightful Kings and Usurpers, pag. 18.] *Confut.* Why then did you stand off so long from swearing Allegiance to their present Majesties, out of scruple of Conscience? And why do you condemn *Oliver Cromwell*, and the Rump-Parliament, and the late *Inter-regnum* as a Rebellion? And why do you approve the Peoples Combination against, and killing *Athaliah* as an Usurper, and setting young *Joash*, the right Heir, in the Throne? To say that there is no difference as to our Duty and Allegiance between a manifest Usurper, and a manifest rightful Owner of the Crown, is in effect to say, that a manifest Usurper is not an Usurper; which is a Contradiction. The Scripture largely taken, doth comprize the Principles of Natural Religion, and all the Rules and Maxims of Order, Government, and Civil Society common to Christians and Heathens, who all agree in this, That there are two sorts of Kings, a manifest Usurper, and a manifest rightful Owner of the Crown; and accordingly there are two kinds of Subjection, one due to an Usurper, and another due to a rightful Owner of the Crown; for as these two Kings differ in *specie*, in kind, so the Subjection due to the one doth differ in *specie*, in kind, from what is due to the other. If you abandon this Distinction, you justify the Cause of traiterous *Absolom*, and his Adherents, against Innocent *David* and his Adherents; and there can be no such thing as Usurpation of Crowns and Kingdoms.

Error 2. *Joash* was first anointed and proclaimed, before any one stirred a Finger against *Athaliah*: Now this is a very different Case from raising Rebellions against a Prince, who is in the possession of the Throne, to restore an ejected Prince, p. 34.] *Confut.* Though *Joash* was first anointed and proclaimed King, before *Athaliah* was kill'd, yet it is plain, that the preparations to kill her, and the full purpose of their Mind so to do, were long before. And were these not so much as the stirring of a Finger against *Athaliah's* Person, Crown and Government?

ment? If the same kind of Subjection was due to *Athaliah*, a notorious Usurper, which was due to *Joash* the rightful Owner, (as you all along assert) then *Jeboiada*, and all the Godly and true Loyalists in *Judah*, were guilty of traiterous and wicked Conspiracy. If not, then the grand Principle of your Book falls, and you shew your self a Betrayer, rather than a Defender of true Loyalty and Allegiance.

Error 3. 'This of *Athaliah* was a peculiar Case; for God himself 'had entailed the Kingdom of *Judah* on the Posterity of *David*, and 'therefore nothing could justify their Submission to an Usurper, when 'the King's Son was found, to whom the Kingdom did belong by a 'Divine Entail.—But, &c. p. 35.] *Confut.* It is plain from the Story, that the Nobles, Commons, and Clergy of *Judah*, did, out of conscientious Prudence and Respect to the Common Quiet, submit to the Government of *Athaliah*, after they knew she was an Usurper, and that *Joash* the right Heir was in being, and preparation for the Crown, until they had by innocent Policy made themselves strong, and were sufficiently prepared to depose and kill her; this their Submission was just and laudable. And this Case doth strongly prove, that a notorious Usurper is to be submitted to by all the People, when he cannot be deposed and cut off without endangering the Common Quiet and Safety of the Realm; but when it can, with general Safety and Quiet to the Realm be effected, it is lawful and laudable to effect and accomplish it. For though the Kingdom of *Judah* was a Theocracy, yet other Nations and Kingdoms are not without Order and Government, agreeable to the general Rules of God's Word, and in that respect are a kind of Theocracy, though not in the *strict* sense: And it was upon Grounds and Reasons common to other Nations and Kingdoms, that *Athaliah* was deposed and killed, *viz.* because she was a notorious Usurper, and it was against the Common Quiet and Interest of the Realm, to bear with and submit to her any longer. *Ubi eadem ratio ibi eadem lex.* It was never God's intention to continue the Crown in the Posterity of *David*, let them live as they list; but on supposition of their walking in God's Ways as *David* did: Which because they did not, therefore God made *Jeroboam* King over ten Tribes, and afterward did alienate the Crown of *Judah* from the House of *David*, to the *Babylonians*, *Persians*, *Grecians*, and *Romans*.

Error 4. 'If the Choice and Consent of the People makes a Prince, 'then no Man is a Subject, but he who consents to be so; for the 'major Vote cannot include my Consent, unless I please; that is 'the Effect of Law, and Compact, or Force, not of Nature, pag. 24. *Confut.* It was the Choice and Consent of the greater part of the People, according to God's Word, *Deut.* 17. 14, 15. which made *Saul* the first King

King of *Israel*. Whose Election not being consented to by some, therefore the Scripture brands them for *Sons of Belial*, 1 Sam. 10. 27. Here the major Vote did conclude the rest. You cannot be a good Subject without your own Consent; but a Subject you may be against your Will, tho the King be made by consent of the People, according to the general Rules of God's Word; because it is *pro bono Publico*, for the common good, and absolutely necessary for the uphold of Order, Unity, and Government among Men, that in such Cases the major Vote concludes all the rest, the Light of Nature doth so dictate, and common Sense allows it.

Error 5. 'If Subjects give their Prince Authority, they may take it away again if they please; there can be no irresistible Authority derived from the People: for if the Authority be wholly derived from them, who shall hinder them from taking it away when they see fit? Upon these Principles there can be no Hereditary Monarchy; one Generation can only chuse for themselves, their Posterity having as much right to chuse as they had, pag. 24.] *Confut.* If indeed the People be the sole principal Cause of conferring Authority upon the King, then they may take it away when they please, even as God himself doth. But this they are not, they are only Causes instrumental and subservient, yet so necessary to the Being of just and legal Monarchy, that without their Consent, Tacit, or Express, no just Monarchy can begin and be founded. Yet will it not hence follow that the People may, at their pleasure, recal the Authority which they have given; for being only Causes instrumental and subordinate, they can act nothing without the Concurrence of God, the supream Cause and Governor of the World. But God doth oblige them to stick to, and abide by their King whom they have chosen, it is not in their Power to undo what they have done; they have bound themselves by Oath and Covenant, Explicit or Implicit, to their King, to be his Liege-men and Loyal Subjects, and a necessity lies upon them of keeping it; if they do not, they are perfidious. The Wife, by her own Act and free Consent, gives Power to the Husband over her own Body, and to be her Head; and yet she cannot unmarry her self, and recal what she hath done. Bishops, as Causes instrumental under Christ, ordain Presbyters, and give them Ministerial Authority; yet can they not therefore take it away at their pleasure. The French Kingdom is Hereditary, and not Elective, and yet the Constitution thereof is such, that Daughters cannot succeed to the Throne: if the French King should go about to alter this Constitution, without Consent of the People, Would they think it any Injustice or Rebellion to resist the invasion of this their Fundamental Constitution? While the King upholds the Government, according to the Ori-

ginal Contract and Covenant between Him and the Nation, he may in no wise be resisted, tho he have his Authority from the People as God's Instruments; but if he go about to enslave and ruin the Nation, contrary to the original Contract and Covenant, it is no unlawful Resistance for the Nation, by Force of Arms, to save it self, and to withstand the Invader and Destroyer of its Liberty, Rights, and Interest: For this is no resisting of Authority, but a just vindication of National Rights against an Illegal Monarch, who pretends Authority, but really hath none, neither from God nor Man: For neither God nor Man gave him Authority to be perfidious, and to enslave and ruin the Nation, contrary to the Fundamental Oath and Covenant between Him and the People. It is this which is the Measure of his Authority; and this being extinguished, by his own perfidious violation of it, his Authority, as the necessary Consequent thereof, must needs die and be extinct with it. Tho an Hereditary and Successive Kingdom be not Elective, yet it is not a new Monarchy, but a continuation of the Old, which began by mutual Covenant, Tacit, or Express, between Prince and People; and when this Foundation falls, the Government is dissolved, and is no longer a just and legal Monarchy, but an Usurpation and illegal Invasion.

Error 6. 'An Usurper, by long continuance, may out-live those who formerly wore the Crown; but does it give Right to him who has none, that he out-lives those who had the Right? For though no Body else has any Right to the Crown, how does this make him a rightful King who has no Right? p. 24.] *Confut.* It is allowed by all as a sure Maxim, *In equali jure melior est conditio possidentis*, He who is in possession of the Crown, hath sufficient Right to it, when no one living hath better Right to it than he. If I find a Thing, and no one claims it, nor can the right Owner be found, it becomes mine by right of Occupation. He that was an Usurper, ceases to be so by the decease of the right owner. He is to repent in his own Breast and Bosom privately of his wrongful Intrusion: but the right Owner being dead, and all that claim under or by him, he is no longer an Usurper, but rightful Proprietor.

Error 7. 'The Revolutions of Government are not the Subjects Duty, but God's Prerogative, p. 43.] *Confut.* There is no inconsistency between God's Prerogative and Subjects Duty in all Revolutions and Changes of Government, but Harmony and Concurrence. There was a great Revolution of Government in *Israel*, when they ceased to be governed by Judges, and the Order of Kings began: and yet in this famous Change, God as Principal, and the People as Instrumental, did concur in the Institution of *Saul* for their first King. After his Death there was another great Revolution, though *David* by Divine Designation

tion was immediately to have been King over all the Twelve Tribes; yet for seven Years the far greater part adhered to the House of *Saul*, until God moved the Hearts of all the People unanimously to chuse and submit to *David* as their King. When the Lady *Jane* (who had the weaker Title) was proclaimed Queen of *England*, after the Death of King *Edward*, and was in possession of the Throne, the Protestants in *Suffolk*, out of conscientious Loyalty, adhered to the Lady *Mary*, tho a Papist, and by their Means, as God's Instruments, she acquired the Throne, and her Title prevailed as being most rightful. After the Death of *Henry* the Third the French King, there was a concurrence of God's Providence, and the Subjects Duty, in setting the King of *Navarr* in the Throne, though the greatest part of the Nation had been against him, and had proclaimed another King, and bound themselves in a solemn League not to admit the King of *Navarr*, yet it being his Right, at last it prevailed.

Error 8. 'There are but three Ways whereby God gives Kings Power and Authority to any Persons: Either by Nature, or by an express Nomination, or by the Disposals of Providence, p. 113. *Consut.* Nature by it self, without Morality to rule and guide it, is a Beast or Machine, and therefore it can have no hand at all in the Institution of Just and Lawful Kings. Nature and Morality differ, as the Horse and the Rider, as the Pen and the Writer. Nature indeed, led, guided, and instructed by Morality, doth subserve God the Governour of the World in the Institution, uphold, and continuation of every Just and Legal Monarchy: but without it, Nature is blind and brutish in Things concerning Order and Government, both Divine and Humane, and therefore there never was nor can be a Lawful King by meer Nature distinct from Morality. Now all Morality is founded in Free-will and Rational Election, Choice and Consent: And consequently every Just Monarchy, is founded in mutual Covenant, Tacit, or Express, between the Prince on one part, and the People or Community on the other part, agreeably to the general Rules of God's Word, for the mutual Good of Prince and People, Ruler and Ruled. God's express nomination of this or that Man to be King, obligeth all the People to own and submit to him as their King, and him to consent to be King over them; but till there be a mutual Consent, the Kingdom is not founded, it is but in preparation, if the major part consent, all the rest are concluded, and are to be esteemed Subjects of the Kingdom; and though the major part dissent, yet having God's Word and express nomination on his side, all the rest owe Consent, and may be compelled to it.

Error 9. 'Whether their present Majesties have Legal Right to the Throne.

Throne, is certainly needless in this Cause to dispute, and serves only to confound it, by carrying Men into such dark Labyrinths of Law and History, &c. as very few know how to find their way out again, [p. 2.] *Confut.* It is certainly necessary for justifying our swearing Allegiance to them, that they have legal Right to the Throne; for unless they have legal Right to it, they have no Right at all; and having no Right, they must needs be Usurpers; and being so, it is only an equivocal Allegiance that can be due to them. But equivocal Allegiance will not suffice. *Analogum per se positum stat pro famosiori significato.* The Law enjoining us to swear Allegiance to them, cannot in reason be thought to mean equivocal Allegiance, such for kind as is due and payable to an Usurper, but it must needs mean that kind of Allegiance which is naturally due from Subjects to one that is rightful Prince before God and Men, and no Usurper. And if there should be any Ambiguity, or colour for scruple touching the Sense of the Oath, it is abundantly cleared by this one thing, that the Law-makers, by enjoining the Oath, must needs mean that kind of Allegiance which fully agrees with the Publick Prayers in the Liturgy, constantly used by the Law-makers, and imposed upon all Conforming Ministers, which is not equivocal Allegiance, but the same that was due and paid to Q. Elizabeth. K. James I, K. Charles I, and his Son successively, viz. full and compleat Allegiance, without all Equivocation: For no one can use, say *amen* to, and heartily join in these Prayers for their present Majesties, without All Hypocrisy and Deceit, who thinks them to have no legal Right to the Throne, that they are but Usurpers. And therefore the Non-swearers, consistently to their own Principle, refuse to use the prescribed Forms in the Liturgy for their present Majesties, tho *tantum non*, they admire the Liturgy. The Doctor by supposing it needless to dispute whether their present Majesties have legal Right to the Throne; and undertaking to prove that they have Right, tho no legal Right; that they have God's Authority, and yet no legal Right, doth greatly err: For there are but two kinds of Right, Legal or Evangelical. Evangelical Right doth not come into question, for that is founded in Regeneration and Heavenly Adoption, and is wholly supernatural and invisible. Either they have legal Right, or they have none: And it is plain they have, for it lies upon the Non-swearers to prove that they are manifest Usurpers, which they can never do, but by carrying us into the dark Labyrinths of Law and History, which can only confound, and serve to make plain things obscure, but can prove nothing against their Majesties Right.

Error 10. We have no Example in Scripture, that any People were ever blamed for submitting to the present Powers, whatever the Usurpation

‘nation were, p. 21.] *Confut.* We read of good King *Hezekiah*, that the Lord was with him, and he prospered whithersoever he went forth: and he rebelled against the King of *Assyria*, and served him not, 2 King. 18. 7. Now either this his Rebellion against the King of *Assyria*, was sinful before God, or it was not: If yea, then I see not how this Scripture can agree with it self; for it doth manifestly imply, that God was with *Hezekiah*, and did prosper him in this his Rebellion against, and refusal to serve the King of *Assyria*, and so is the Opinion of the generality of Interpreters, who acquit *Hezekiah* from all Sin in this Matter, there being no Divine Obligation upon *Hezekiah* to serve and be tributary to the King of *Assyria*. If it was not sinful, then here is an Instance of an honest and justifiable Rebellion against an Usurping Power; and consequently, had *Hezekiah* submitted to the Usurpation of the King of *Assyria*, he had been blame-worthy. *Curse ye Meroz, (said the Angel of the Lord) curse ye bitterly the Inhabitants thereof: because they came not to the help of the Lord, to the help of the Lord against the Mighty.* Judg. 5. 23. It is plain from the Context, that King *Jabin* for twenty Years did mightily oppress *Israel*, and usurp Dominion over them; and here the Inhabitants of *Meroz*, a City or Town in *Israel*, are cursed by the Angel of the Lord, for not concurring with *Deborah* and *Barak*, and their Brethren the *Israelites*, in warlike resistance and opposition against the usurping Tyrant and Oppressor *Jabin*. After *Jeroboam* had set up false Worship in *Israel*, and cast off the Lord’s Priests from executing their Office unto the Lord, they, and after them, out of all the Tribes of *Israel*, such as set their Hearts to seek God, came to *Jerusalem*, to sacrifice unto the Lord God of their Fathers. *So they strengthened the Kingdom of Judah, and made Rehoboam the Son of Solomon strong three Years,* 2 Chron. 11. Here the Subjects of King *Jeroboam* are praised by the Spirit of God for leaving him, and going over to King *Rehoboam*, and taking part with him against *Jeroboam*; and consequently they had been blameable if they had done otherwise.

Error II. ‘Our Saviour’s Argument relies wholly on the possession of Power, *Whose Image and Superscription hath it?* p. 21.] *Confut.* That our Saviour’s Argument relies wholly on Possession, be it right or wrong, so as to oblige Men to pay the very same kind of Allegiance to a manifest Usurper, which is due to a most rightful King, (which is the principal point aimed at, and contended for by you) is not true. Our Saviour did not bring in any new Doctrine touching Sovereignty and Subjection, but by his Doctrine and Example taught every Soul to be subject to the Higher Powers, according as his Apostle *Paul* doth. But it was never the Apostle’s meaning to confound the distinction between a notorious Usurper, and one that is notoriously no Usurper, but rightful King before God and all the World, as to Subjection and Allegiance. But though the present King should be a manifest Usurper, yet may nothing be attempted against his Person, Crown, and Government, which is against the Common Good and Quiet, when the Remedy will be worse than the Disease; but where the Common Good and Quiet of the
Realm

Realm cannot be upheld without removing the Usurper, there it is lawful and laudable to remove him, and to set the right Owner in the Throne; but it can never be lawful to do so by the right Owner; for Evil is not to be done that Good may come.

Error 12. 'Why should we think the Apostle here intends a Distinction unknown to Scripture?—And let any Man judge in what Perplexities this Sense of the Apostle's Precept would involve the Consciences of Men? For these are great Disputes among Learned Men, and how then should Unlearned Men understand them? And I cannot think that the Resolution of Conscience, in such Matters as all Mankind are concerned in, should depend upon such Niceties as Learned Men themselves cannot agree in, p. 19.

Consut. Learning is an excellent Gift of God, and greatly serviceable to his Kingdom and Glory; but when destitute of Heavenly Wisdom and Grace rightly to use it, it becomes the Devil's great Engine, whereby he upholds Atheism, Infidelity, Heresy, Schism, Idolatry, Superstition, and false Religion in the World; and if Cases of Conscience concerning all Mankind must remain undecided, till all Learned Men be agreed about them, then there can be nothing certain in Religion; and Faith in Christ is no longer Faith in Christ, but the same with Scepticism and ungodly Dubitation, about Spiritual, Invisible, and Eternal Things, which no Christian can endure to hear. As in Divinity, though there be a thousand Criticisms respecting the Hebrew and Greek Text, Chronology, Genealogies, and Prophetick Expositions, wherein the Learned may safely differ, and yet Points of Faith, necessary to Salvation and holy walking with God, be all plain to such as have the Spirit of Christ, even the most illiterate Men and Women: So though there be abundance of lesser Things in the Common and Statute-Laws of *England*, about which Judges, Lawyers, and Statesmen themselves may differ, yet still there are some Master-Principles, and Foundation-Points of the English Government known to all; which being on all hands admitted not repugnant to God's Word, and to the Being of Civil Government and Humane Society in general, they are a sufficient direction for the Consciences of all in the Nation, ordinarily touching Subjection and Allegiance to the Higher Powers among us, and putting difference between a manifest Usurper, and a manifest right Owner; and for extraordinary Cases, the Nation is left to act *pro re natâ*, suitably to the Occasion; and for extraordinary Evils, to provide extraordinary Cures; and in doubtful Cases, to chuse the safer Side: And therefore there is no necessity, that either we be all Slaves, according to your old Doctrine of Non-resistance; or that all notorious Usurpers be no Usurpers, but rightful Kings before God, because he permits Sin and Satan to set them in the Throne, according to your New Doctrine of Allegiance; which may serve for a job, and take with self-seeking Men, who guide themselves by worldly Policy; but it can never sink with honest and true Loyalists.

Error 13. 'The Titles of the Roman Emperors, for so many Ages together, were either all of them stark naught, or the very best of them very doubtful, p. 20.

Error 14. 'The four Monarchies were all as manifest Usurpations as ever were in the World, and yet set up by the Decree and Counsel of God, p. 20.]

Consut. It is manifest as to *Alexander* the Founder of the Grecian Monarchy, that he was no Usurper, but a lawful Monarch: For he was (as all confess) lawful Monarch of *Macedonia*, before the enlargement of his Dominions by Conquest. Now admit the worst that meer Ambition, and sinful desire of Empire, put him upon invading other Nations and Kingdoms; yet having won them by the Sword, upon their submission to him, and coming

ming under his Protection he became their lawful Monarch, and no Usurper. Suppose also that the War of *Julius Cesar*, against the Roman State and Senate, was unlawful, yet becoming Conqueror, and obtaining Consent from the Senate and People of *Rome*, and being by Common Consent created perpetual Dictator, from thenceforth he was no Usurper, but lawful supream Governour; and if his Successor, *Augustus Cesar*, was not lawful Emperor, and no Usurper, it cannot be told what lawful Empire is. The same may be said of the other two great Monarchies, *Assyrian* and *Persian*, for ought that can be proved to the contrary.

Error 15. 'If Conquest gives a Right, then Force, the most unjust and violent Force, is right.—Submission is only a forced and after-consent, not to make a King, but to own him who has made himself King, and whom very often we would disown and reject, were it safe to do so; and what Right can that give more than Force? p. 24.] *Consut.* The Sword without Submission makes no Man legal King, but Submission to the Conqueror upon legal Terms, is by the Law of Nations a just Foundation of legal Monarchy: For it puts an end to War, and so introduceth Peace, Order, and settled Government: It is an act of rational Choice and Free-will; of two Evils set before us we chuse the less, and either explicitly or implicitly covenant with the Conqueror to be his Subjects, and he doth equally covenant with us to be our King and Protector.

Error 16. 'What Right had my Ancestors, three or four hundred Years ago, to chuse a King for me? p. 24.] *Consut.* They had just and true Right, by the Law of Nations, to lay the Foundation of an Hereditary Monarchy; otherwise there can be no such thing as an Hereditary Monarchy, which no sober Man will affirm.

Error 17. 'It is very absurd to say, that the Right of Government is not derived from God, without the Consent of the People, p. 25.] *Consut.* It is very absurd to make the People equal and coordinate with God in the institution of Kingly Government; but no Absurdity at all to make them subordinate Causes, without whose Consent there can be no such thing as Just Monarchy; no more than it is to say, that God cannot make lawful Husband and Wife, without their own foregoing mutual Consent. For though the Cases widely differ in many things, yet in this they agree, that both are founded in Consent, and are not like the Relation between Parents and Children, which is founded in Nature, and natural Generation, and not in Consent. If the People in consenting, or dissenting, transgress God's Law, that is their Sin, which God knows how to over-rule for his own Glory; and certainly he will so work in, dispose, govern, incline, and change the Hearts, Minds, Wills, and Spirits of Men, that in spite of all Opposition there shall be a Church on Earth, and some degree of Civil Order and Government among those

those who are not of the Church. Now not only Church-Societies, but also Civil Order and Political Government among Heathens, is necessarily founded in rational Choice and Consent, and not in brutish Motion, nor in natural Necessity, nor in extrinsecal Force and Violence. What harm can there be in this Position, that no Man can be rightful King without the Peoples just Consent? Can God, who is infinitely Just, make a just and rightful King against the Peoples just Consent? Then he is not himself, but contrary to himself.

Error 18. 'In propriety of speaking, there is no natural Prince but a Father, p. 11.] *Confut.* Every King supposed rightful, is naturally a Sovereign Prince, and Allegiance is naturally due to him from all his Subjects; he is no Usurper, but hath full Right to the Throne, according to the Principles of natural Light, common to Us and Heathens. Though he that is a Father, may be a Prince; yet no Father as such can be a Prince, and therefore no Father as such can be a natural Prince: For if a Father as such be a Prince, then every Father must needs be a King, and every Mother a Queen. But every rightful King is, in proper speaking, naturally Prince and Sovereign over the People, and their Liege-Lord, whether he be a Father or not.

Error 19. 'Hobbism is holding that Power only gives Right: But my Doctrine is, That Power does not give Right, but is a certain sign to us, that where God has placed and settled the Power, he hath given the Authority; therefore my Doctrine is not the same with Hobbism, p. 15.] *Confut.* Your Doctrine is the very same with Hobbism, because you plainly confound Right and Wrong, most rightful and most wrongful Monarchs, and make them to be equally the Effects of God's Omnipotent Power and Providence; which is perfect Hobbism, and destructive of True Religion and Morality. If God's permission of Might and Power to this or that Man, be a certain sign to us, that God hath given him Authority and Right, then it unavoidably follows that Might and Right are inseparable, and then all Murders, Treasons, Robberies, Rapes, Sacriledges, Injuries, Oppressions, and unjust Violences, are for ever justified and legitimated, and there can be no such thing as Good and Evil, Right and Wrong, Lawful and Unlawful.

Error 20. 'The Outrages of Thieves and Pirats are very impertinently alledged in this Cause. They have Force and Violence, which every Man must submit to, when he cannot help it; but Sovereign Power is God's Authority, though Princes may be advanced to it by no honest Means, than Thieves take a Purse, or break open my House, and take my Mony or Goods, p. 34.] *Confut.* Though the Case of an Usurper doth in many things greatly differ from that of Thieves and Pirats, yet in this they both agree, that neither hath true Right; the Divine Providence, by permitting the

the Usurper to be in the Throne, gives him no more Right to it, than his permitting a common Cut-purse to steal my Mony, gives him Right to it. As we submit to an High-way Robber, because he is too strong for us, and we cannot help it, so do we to an Usurper. For I do not think you can name one Man truly Loyal, that would submit to a manifest Usurper if he could help it. And if you suppose the Regnant Prince not to be manifestly an Usurper, of necessity he is lawful and rightful Prince before God and all the World. For *de non apparentibus & non existentibus eadem est ratio*; things not plainly evident are to be esteemed as not at all. And this doth principally sway with me as to the present Government. The great Law and Rule of Conscience touching Allegiance, I take to be this, that whoever is in possession of the Crown, compleat Allegiance is due to him, unless it be plain and evident to each Man's Conscience, sincerely studious of his Duty to God and the King, that he is an Usurper. But that their present Majesties are so, is impossible to be proved. That an Hereditary Kingdom be governed by a Monarch, is from God as Principal, and from the People as Instrumental: but that it be governed by a notorious Usurper, is from Satan, and not from God, though God doth innocently permit it as he doth all other Sin.

Error 21. 'All Kings are equally rightful with respect to God, p. 14.

Error 22. 'Nor does it make any difference in this Case, to distinguish between what God permits, and what he does, p. 12.] *Confut.* That all Kings are not equally rightful, with respect to God, is plain from God's own words; *They have set up Kings, but not by me: they have made Princes, and I knew it not*, Hof. 8. 4. And from this undeniable Truth, that God is Author of Just Monarchy, but he is not Author of Usurped Monarchy, it is contrary to his Holy Nature, and to his Holy Law; *For thou art not a God that hath pleasure in Wickedness*, Psal. 5. 4. True it is, that God doth innocently permit Usurpation, and his Permission is not idle, but unsearchably operative: but still he is no way Author of it; for Usurpation is Sin, and God cannot be Author of Sin; to think it is Impiety, and to speak it is Blasphemy. So that all usurping Kings are made by Satan, and not by God; and every time we say the Lord's Prayer in Faith, we do inclusively, and by implication, pray against usurping Kings.

Error 23. 'The distinction then between a King *de jure*, and a King *de facto*, relates only to Humane Laws, which bind Subjects, but are not the necessary Rules and Measures of Divine Providence, p. 14.] *Confut.* It relates to Divine Laws as Principal and Supream, and to Humane Laws as Subordinate and Instrumental: and all such Humane Laws as are manifestly good, just, necessary and convenient for the Common Safety and Quiet, are in a large sense rather Divine than Humane, though in a *strict*

sense they are not Divine. The Divine Laws are the necessary Rules and Measures of our Duty, but not of God's Providence. For he permits all the Sins of Angels and Men contrary to his Holy Laws, and yet is no way Author of Sin.

Error 24. 'The Doctrine of the Church of *England* is, That usurping Kings, after they are once thoroughly settled in the Throne, are to be submitted to as God's Ordinance, and compleat Allegiance is to be paid them as invested with God's Authority, whatever their Legal Right be. For the proof of which I appeal to Bp *Overal's* Convocation-Book, p, 4, 5, 6, 7, 8, 9, 10.] *Confut.* Not to dispute whether Bp *Overal's* Convocation-Book is to be admitted as an authentick and adequate Proof of the Doctrine of the Church of *England*, that Book doth not prove your Point: For it proves only this, That usurping Kings, when once thoroughly settled in the Throne, cease to be Usurpers, and become lawful Kings, and invested with God's Authority. This I grant; But doth this Convocation-Book say, that there can be a through settlement of Kings in the Throne without Legal Right? This it saith not; and therefore you greatly err in replying upon that as a Proof, which really is none, but your own Mistake and Mis-collection. You your self confess pag. 9. That the foresaid Convocation has not determined when a Government gotten by Usurpation may be said to be *thoroughly settled*. Now I affirm, in contradiction to the Scope and Tenour of your Book, that no Government can be *thoroughly settled* without Legal Right. It is very probable that Convocation had in their Eye the two recent Cases of *Holland* and *Scotland*. 1. As to *Holland*, while the King of *Spain* denied them to be a free independent and Sovereign State, and claimed them as his Right, and maintained his Claim by the Sword, and refused to treat with them as a Sovereign State; the Convocation might probably think, that the revolution in *Holland* was not thoroughly settled. But after King *Philip*, by his Agents, condescended to treat with them as a Sovereign State, and did so own and admit them, it is manifest, that from this time they began to be throughly settled; and though the beginning should be supposed to be by Usurpation, yet now it ceased to be so, and became a Just Government by the Law of Nations. 2. As to *Scotland*, while *Mary* Queen of *Scots* was alive, though Prisoner in *England*, the Convocation might perhaps doubt whether the Crown of *Scotland* might be said to be throughly settled: but after she was dead, there was no question to be made of King *James* his right: for if it should be supposed that he was an Usurper before, yet after her Death he had unquestionable Right, and began to be fully and throughly settled in the Throne, by the Law of Nations and the municipal Laws of *Scotland*.

Error

Error 25. 'To fight against a King, and not to fight for him; I think
'are two very different things; and when Kings make it impossible to fight
'for them, without fighting against the Religion and Liberties of our
'Country, they may thank themselves, if their Subjects cannot defend
'them, p. 49.] *Confut.* Either the King is rightful King, or he is not.
If yea, then he is God's Ordinance; and how can we, in fighting for God's
Ordinance, be said to fight against it and true Religion? If not, then he is not
God's Ordinance, and why then may we not fight against him, as *Jehoiada*,
and the good People of *Judah* did against *Athaliah*? You and your Fel-
lows think it your Vertue and Praise, that you had no hand in the late Re-
volution. Now, either the late King *James*, when the Prince landed, was
rightful King, or he was not: If yea, then why did not you preach and
prels the Doctrine of Non-resistance and Passive Obedience? Why did you
not convince the People, that he who is not for his rightful King and So-
veraign is against him, and that to fight for him, is to fight for God's Or-
dinance? Why did you basely and treacherously, both Clergy and Laity
forsake him in his Distress, and stood looking on his Misery, and afford
him no help at all? Was this Loyalty to your King: Is it true Loyalty to
be Neuter between God's Ordinance and Satan's Ordinance? But if the
late King *James* when the Prince landed, was not rightful King, but an
Invader and Subverter of the Legal Monarchy, and of True Religion, and
National Rights and Liberties; and if the Prince came to save the Legal
Monarchy, and to rescue the National Rights and Liberties, and to preserve
and uphold True Religion, why should it be your Vertue and Praise to
have no hand in the Revolution?

Error 26. 'To judg. truly of the legality of the late Revolution, re-
'quires such perfect skill in Law and History, and the Constitution of the
'English Government, that few Men are capable of making so plain and
'certain a Judgment of it, as to be a clear and safe Rule of Conscience,
p. 2.] *Confut.* Certainly either the Prince of *Orange's* Undertaking, Land-
ing, and Progress in his Affairs to the time of his being set in the Throne
by Common Consent of the Nation, and the two Princesses, was Law-
ful, or we have done ill in giving such solemn Thanks to God for it as we
have; and not only we in this Nation, but *Scotland*, also and *Ireland*, as
to the Protestant part, and all the Reformed Churches beyond Sea: and
very many of the Popish Party, even Princes and Sovereign-States have ap-
proved it. But too much Light puts out some Mens Eyes. It is sufficient
as to you, that nothing at all in the late Revolution came to pass without
the Providence of God: for this with you is all in all in pulling down and
setting up of Kings, whether they have legal Right or not. As to the
Non-swearers, the chief of them had a principal Hand in the late Revolution.

tion, and did eminently and publickly, by Word and Deed, and published Declaration, concur to it; and the thing it self was so manifestly just, that it did overpower Mens Minds with its Evidence, and could not be gain-said. Indeed there was for some time dispute about the Point of Ab-dication. But all the while it was indisputably plain, that the Throne was empty, and the Government of the Nation for a time was unhinged, and the late King, by hearkening to Popish Counsels, and obstinately relying upon them, had brought all this upon himself. The late Revolution needs not our Arguments to make it good, there is no necessity of turning over Volumes of Law and History for decision hereof, it commends it self to every Man's Conscience, in the sight of God, to be no prosperous Wickedness, but God's great Goodness and Mercy to three Protestant Nations, if we had but Grace to be thankful for it, and rightly to use and walk worthy of so great a Blessing; So great, that I greatly fear, what between the Non-swearers, and the deceitful and equivocal Swearers, and the malicious haters of Godliness and Holy unity among us, and the self-seeking Spirit which so sadly prevails, we shall yet have cause of renewing days of Fasting and Prayer, and happy we if we can so prevail with our God.

Error 27. 'If Princes receive their Authority from Men and Humane Laws, I cannot imagine, that their Power is any more than a Trust, of which they must give an account to those who have entrusted them with it, p. 36.] *Confut.* The Prince receives his Authority from God as Principal, and from the People as Instrumental; yet is he not strictly accountable to us, but to God, as being God's Trustee over us, and neither our Servant, nor our Equal, but Superiour to us all. Yet is he inviolably bound to perform Covenant with us, no less than we are bound to perform Covenant to him. If he shall, contrary to the fundamental Oath and Covenant between Him and the Nation, go about to enslave us, to subvert the Legal Monarchy, and those Laws by which the mutual Rights of Prince and People do consist, he ceases to be our lawful King, and becomes the same with an Usurper. We in so judging do not exercise any superiority over him, nor call him to account, but as Men endued with common Sense and Reason, we judg righteous Judgment. God himself permits us to judg between him and us: *And now, O Inhabitants of Jerusalem, and Men of Judah, judg, I pray you, betwixt me and my Vineyard, Isa. 5. 3.* Doth this make us superiour to God? Do we, in discerning between Right and Wrong, and judging according to Truth, exercise Authority over God, and call him to account? Sure, Kings are not above God! while they have legal Right to the Throne, they may not be resisted: but if they have no legal Right to it, they may be resisted, as was *Arhathiah*, when it can be done with Common Safety.

Many

Many more Errors might be set down out of your Book, according to the old and true Maxim, *Uno absurdo dato, sequuntur mille*, grant one Absurdity, and a thousand follow: But I have neither leisure nor list to meddle with more, and had rather see their Majesties unsubdued Enemies effectually reduced, and clothed with shame, and these three Nations freed from every Adversary and evil Occurrent, and an end put to War, than read Books stult with cold Arguments and dead Syllogisms, to prove their present Majesties now no Usurpers, though lately they were, their Throne being now thoroughly settled. If really they were Usurpers from the beginning, I doubt they are so still. God hath indeed blessed his Majesty with great Success; but we are great Sinners against God, and engaged in a very expensive War, against an Enemy not to be despised; and as we have ground to hope, so we have great reason not to be high-minded, but fear; for if we have not Success, I doubt all Paper-Arguments, and artificial Syllogisms, and Books of Dispute, will prove too weak to convince Mens Minds that their present Majesties are thoroughly settled in the Throne.

F I N I S.

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